

SENATOR L. JOHNSON: Mr. Speaker and ladies and gentlemen of the Legislature, I rise to move for the override of the Governor's veto of LB 1221. The veto message was correct in every respect as far as it went. She said, currently the counties are responsible for costs because determination of competency is part of the trial process. In my judgment payment of such costs is a legitimate responsibility of the counties. No disagreement, but the rest of the story is covered by LB 1221. This bill would require the state to pay the costs of care for persons committed to a state hospital upon a finding that the person is incompetent to stand trial. Currently, when a person is committed under conviction or sentence, but ordered to undergo treatment at a state institution, the state bears the cost. For those incompetent to stand trial, however, Nebraska's statutes are silent or not clear as to who pays the costs of care upon commitment to a state institution. It is important to realize that there is no way to predict when these costs might arise. They are purely happenstance within the counties. The costs of these committals can wreck havoc with the budget of any one of our 93 counties in Nebraska, especially true when a smaller county with a limited resource and near its constitutional limitation for a taxing levy could be hit with such a proposition. This bill would prevent counties from inevitably having to raise local property taxes to pay those costs inflicted by a vaguely worded statute. It moreover clarifies that our policy of what the state will assume is consistent. This bill was brought to me by folks in Dodge County and it has the support of county officials. I cannot help but look at our 45-1 vote yesterday on Final approval as real recognition of the legitimacy of this issue. Remember, in all of the progression of overrides today, this is perhaps the only bill which addresses the potential of property tax relief. I respectfully and humbly urge your support of this motion. Thank you very much, Mr. Speaker.

SPEAKER BARRETT: Thank you. For purposes of discussion, Senator Chizek.

SENATOR CHIZEK: Mr. Speaker and colleagues, I rise to support, obviously, Senator Johnson's motion to override the veto of LB 1221. The problems that Senator Johnson noted regarding unpredictable expenditures and vaguely worded statutes are not confined to just smaller counties. They are magnified many times in scope, intensity and costs to larger counties. The